

Case No. A107095

COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT, DIVISION FOUR

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
nonprofit religious corporation,

Petitioner,

vs.

SUPERIOR COURT OF THE
STATE OF CALIFORNIA,
COUNTY OF MARIN,

Respondent.

GERALD ARMSTRONG,

Real Party in Interest.

Marin County Superior Court
Case No. 157680/152229,
Consolidated with
Case No. CV 021632

[Consolidated with Case No.
A107100]

**EXHIBITS IN SUPPORT OF OPPOSITION TO PETITION FOR A
WRIT OF CERTIORARI OR, IN THE ALTERNATIVE,
A WRIT OF MANDAMUS**

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but that he was engineering a plan to infiltrate and take over the Church at the behest of the CID.

Shortly after the trial, Armstrong's conspiracy against the Church surfaced when he sought, at the behest of IRS CID agents Al Lipkin and Phillip Xanthos, to recruit Church employees and organize them against the Church. To this end Armstrong contacted a Church member and former friend to enlist his aid in recruiting a group of dissident Scientologists to overthrow Church management. After this individual, however, informed the Church of Armstrong's plan, it obtained permission from the Los Angeles Police Department to conduct undercover surveillance of Armstrong. The Church then used two "undercover" persons to collect evidence of Armstrong's machinations.

Videotaped conversations show that Armstrong intended to recruit additional persons to create "as much shit for the organization as possible." Armstrong intended to foster this plan by creating sham lawsuits against the Church, seeding the Church's files with forged and "incriminating" documents which would then be seized in a raid by the Internal Revenue Service as part of the then ongoing CID investigation, taking control of the Church after such a raid, and lying under oath to prevent discovery and to protect Armstrong's co-conspirators.

Armstrong admitted on videotape that there was no basis in fact for his justification defense since he had no fear that anyone associated with the Church could or would harm him. Speaking with an undercover operative known to Armstrong as "Joey," Armstrong revealed his "justification" defense for the fraud it was, and that his only "fear" was that his conspiratorial plans would be discovered:

JOEY: Well, you're not hiding!

ARMSTRONG: Huh?

JOEY: You're not hiding.

ARMSTRONG: Fuck no! And . . .

JOEY: You're not afraid, are you?

ARMSTRONG: No! And that's why I'm in a fucking stronger position than they are!

JOEY: How's that?

ARMSTRONG: Why, I'll bring them to their knees!

(Exhibit 10-Q).

Armstrong requested that the undercover persons give him Church documents so that he could forge documents in the same style. In particularly revealing language with respect to the documents he stole and later relied on at trial, Armstrong stated with respect to forgeries that he can "create documents with relative ease" because he "did it for a living." (Exhibit III-10-Q).

Armstrong then planned to "plant" forged, incriminating documents in the Church's files so that those documents could be later discovered and used to discredit the Church. Armstrong planned to "tip off" investigators for the Criminal Investigations Division of the Internal Revenue Service once the phony documents were safely planted so that they could be "discovered" in a later IRS raid.

JOEY: (Laughs) Great, so what kind of stuff are we going to want to create and who's going to get it?

ARMSTRONG: That's what we need to talk about!

* * *

JOEY: -- and what do the agencies want on this?

ARMSTRONG: O.K. Well, the agencies have asked for some specific things, that's all they asked for. Now - - * * *

JOEY: Now, who wanted this?

ARMSTRONG: CID.

(Exhibit III-10-Q).

The videotapes also reveal Armstrong's true motivations and his systematic and fraudulent sabotage of the trial. Armstrong stated he would bring the Church to its knees and that the fomentation of litigation was one of the prime vehicles for accomplishing this objective. He stated:

ARMSTRONG: That they're going to lose in a whole bunch of jurisdictions. They're going to lose, they're going to lose, they're going to lose (tapping his palm each time he said it). And they're going to start losing (shrugs) 1985. They only even have to lose one, and attorneys all over the country are going to jump on the fucking bandwagon. And watch, you know, all of a sudden you've got precedents being established, which are incredible.

(Exhibit III-10-Q).

Armstrong further explained that, from his perspective, neither the truth nor good faith play any significant role in litigation. He instructed the undercover Church member that facts mean nothing to a civil litigant and that truth is merely an avoidable obstacle. Armstrong explained how a civil claim can be pursued despite an absence of a claim or essential facts:

ARMSTRONG: They can allege it. They can allege it. They don't even have -- they can allege it.

MIKE: So they don't even have to have the document sitting in front of them and then --

ARMSTRONG: Fucking say the organization destroys the documents

* * *

ARMSTRONG: Where are the -- we don't have to prove a goddam thing. We don't have to prove shit; we just have to allege it.

(Exhibit III-10-Q).

As to Armstrong's "dedication to the truth," for which he is complimented in the trial court's decision, Armstrong took the opportunity to instruct both "Joey" and "Mike" separately on the need and desirability of lying under oath:

ARMSTRONG: By the way, no one will ever get any names, any communications, any times, any dates or anything out of me, that's just the way it is. I'll go to prison before I ever talk, okay. So you have to know that, because they're wanting to depose me every couple of months. I'm simply saying no, anyone I talked to that's, that has nothing whatsoever to do with this lawsuit, the causes of action in my lawsuit began in 1969 when I was enticed into the Sea Organization and it ended in 1981, or they actually they continue on because you guys have continued to harass me but you...

MIKE: Not us, hey!

ARMSTRONG: No, I'm telling you what I would tell them in deposition, but they don't get anything else, go ahead.

MIKE: Okay, so that, that's fine, we have an agreement on that point.

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ARMSTRONG: Right. And you guys also have to have your agreements marked out between yourselves too, like, I don't know who knows I'm involved but, I'll deny it!

MIKE: Okay, well, we haven't said anything either.

ARMSTRONG: Good, Good.

(Exhibit III-10-Q).

Armstrong was even more direct in discussing the fine points of perjury when speaking with Joey:

ARMSTRONG: OK. What are our conversations, should it come down to it?

JOEY: What do you mean?

ARMSTRONG: What do we talk about. You're deposed. You walk out there, and there's a PI hands you paper, saying you're deposed Jack, and not only that, you're out of the organization. And what do you say in deposition. Well, Armstrong and I talked about this, and he had a whole bunch of ideas about how to infiltrate the communication lines and spread turmoil and disaster, you know! What are we doing here? That's my question, before I tell you my ideas on documents.

* * * *

ARMSTRONG: OK. So as far as the doc...Let me just say ah, you and I get together, we get together because I have a goal of global settlement. You have felt that the turmoil and abuses and so on have gone on too long... Hence we get together and discuss things. We have not discussed anything about a destruction of the tech, or Scientology is bad, or anything like that. Are we agreed?

JOEY: Yeah.

(Exhibit III-10-Q).

The evidence shows Armstrong's state of mind, not to be fear, but instead to be of a calculating, aggressive and dishonest character.

Armstrong's own writings illustrate Armstrong's state of mind to be sickly and twisted. Attached are two examples of Armstrong's writings illustrating Armstrong's psychosis and his plan to entrap a senior Scientologist in a compromising sexual situation, as previously presented but not provided to the Service. (Exhibits III-10-R and III-10-S).

We do not enjoy even reading much less repeating Armstrong's demented ramblings. However, we have tried to explain to the IRS at every level that the Armstrong decision only stood for what Armstrong's feigned state of mind was during the trial. Yet, the allegations kept getting raised for us to have to deal with as some sort of fact. And they are being raised here again.

The Armstrong case was reviewed by the California Court of Appeal in summer 1991. The Court of Appeal refused to accept the evidence that the Church had discovered after the trial as outlined above, on the technicality that the trial court never got to see it first (an impossibility since it was obtained after the trial). The Court of Appeal upheld Breckenridge's decision on the legal technicality that it believed a justification defense is available to defend against theft in California. As to the Church's protest to the gratuitous and condemning language of the Armstrong decision, the Court of Appeal ruled there was not a problem of stigmatization because Breckenridge was only reciting Armstrong's purported state of mind - exactly what we had been telling the IRS from 1984 to this writing.

In December 1986, Armstrong entered into a settlement agreement with the Church as part of the overall Flynn case settlement. The agreement was designed to resolve all present and future issues between the parties. Armstrong agreed not to insert himself into future legal proceedings regarding the Church absent legal process. Within a short time after receiving the Church's money, however, Armstrong embarked on a course of conduct in direct, intentional violation of that agreement.

Upon entering into the agreement, Armstrong acknowledged that he understood the provisions of the settlement and had received legal advice thereon. Armstrong now states, however, that he found these provisions to be "not worth the paper they were printed on." He now says that he "put on a happy face" and "went through the charade" of signing the settlement agreement. The Church recently sued Armstrong for his blatant disregard of his obligations under the settlement agreement. After a full hearing, in which Armstrong was able to fully air his "justification defense", essentially replaying his 1984 case, another Superior Court Judge was not impressed and slapped Armstrong with a preliminary injunction. So, history has proven Breckenridge wrong. Armstrong is anything but frightened. As he so clearly said - "just allege it."

There is a compelling body of evidence that suggests that Armstrong case was manufactured and arranged by the IRS prior to it even going to trial. The following is brief synopsis of some of that evidence:

- The IRS was part of Armstrong's attorney Flynn's FAMCO plan from the very beginning. FAMCO documents disclosed plans to create

"Federal and State attacks" with the objective of "closing orgs". Flynn conducted a FAMCO conference in May 1981 that included "representatives of Internal Revenue Service"

- The IRS was the recipient of attorney-client privileged audio-taped conferences that were stolen by Armstrong. The IRS pleaded at one point during the US v. Zolin proceedings (see more about this below) that they had received a copy of the tapes from a "confidential informant" whom they refused to identify. This revelation shows the CID had a very strong vested interest in Armstrong being found justified, after they were in receipt of stolen property. This is evidence of motive for tampering with the outcome of the Armstrong case. It also explains their conduct in illegally and secretly obtaining a "legitimate" copy of the tapes from the Superior Court after the Breckenridge decision had been rendered.

- Despite the fact that communication with the IRS or any other federal agency was never an issue in the Armstrong case, Breckenridge's ruling inexplicably invited Armstrong to discuss the contents of the sealed archives documents, and share them, with "any duly constituted Governmental Law Enforcement Agency".

- During post trial proceedings, Armstrong's counsel let slip a mention to Judge Breckenridge that "The IRS is interested, as the court probably knows. An investigation is ongoing right now with respect to the IRS criminal office concerning the testimony in this case and the evidence that was introduced at trial." However, the Church knew of no such investigation and was not informed of such for 2 months. In fact, the CID to this day claims the investigation did not begin until July. Apparently, the IRS saw fit to inform Armstrong, his attorneys, and a sitting Judge about their investigation before informing the Church or the individual targets. The only explanation for this is ex parte communication with the judge on the part of the IRS to the exclusion of the Church.

- Discovery in the Canadian case revealed that Armstrong's video taped statements concerning Flynn, the IRS CID and the Ontario Provincial Police (OPP) actively conspiring to create the "collapse" of the Scientology religion were borne out. Detective Ciampini's notes revealed constant communication with Armstrong, Flynn, and LA CID agents. The CID agents travelled to Canada in late 1984 to coordinate. Canadian documents and agent testimony also revealed that Ciampini and his associates travelled to LA to coordinate with Armstrong and LA IRS in April 1984 - one month BEFORE the Armstrong trial.

- The CID's own Special Agent's Report of May, 1985 also corroborated that they were working in alignment with the FAMCO plan and Armstrong's video taped aims. The report stated that the

objective of the investigation was to cause the "ultimate halt" to and "final disintegration" of the Church of Scientology.

- In the David Miscavige v. IRS FOIA case covering the IRS CID files, the IRS has strenuously evaded acknowledging the name of a single informant, despite the fact Mr. Miscavige has provided public documents irrefutably proving two dozen of them are Flynn clients. In fact, every single witness for Armstrong was an IRS CID informant. The CID has gone so far as to knowingly file a forged document in order to prejudice the court in the effort to prevent the disclosure of any documents generated by informant contacts.

- LA CID agents have sworn under oath several times that the CID investigation started as the result of a 11 July, 1984 New York Times story that covered the Armstrong case. Yet, the New York Times story itself quoted an IRS spokesman as claiming the "Internal Revenue Service has been investigating Mr. Hubbard's financial arrangement with the Church of Scientology for more than a year."

- On Sept 26, 1984 David Miscavige met with several high ranking IRS officials in Washington D.C. including Al Winbourne, Charles Rumph, Joe Tedesco, Marvin Friendlander, and Bill Connet, to answer to allegations made in the New York Times article since that was what purportedly caused the CID investigation. When Mr. Miscavige began by asking how the NY Times article could be the impetus for the CID investigation when the same article states it has been going on for a year, none of the IRS personnel could answer and in fact ended the entire discussion on the article - yet an explanation of the article is precisely why they asked for someone to attend this meeting.

CID agents continuously dispute evidence that their investigation began earlier than the 11 July, 1984 New York Times article. If the investigation started before 11 July, then it would clearly show there was no "reason" for it, other than the reason that has been clearly emerging in evidence obtained through discovery in Canada, and in FOIA cases - to wit, the CID started the investigation much earlier, orchestrated the Armstrong case and N.Y. Times article as a pretext to justify their concerns, with the aim to bring about the "final halt" to and "ultimate disintegration" of Scientology.

The Church contends the 1984 Armstrong decision was brought about by IRS agents illegally working in collusion with private litigants. The Church vigorously disagrees with the 1984 decision and with Judge Breckenridge's observations about Scientology. The Church agrees with the 1992 Armstrong decision preliminarily

enjoining him from injecting himself into other private and government actions concerning the Church.

Among the fall-out from the Armstrong case has been litigation for most of the past decade over the IRS's use of some of the fruits of Armstrong's theft. In addition to Mr. Hubbard's private and personal papers, Armstrong stole a tape made of a GO attorney conference in 1980. This conference was attended by Laurel Sullivan (later an IRS informant) who headed a project called Mission Corporate Category Sort Out (MCCS). The purpose of MCCS was to align the Church's corporate structure with its expanding ecclesiastical hierarchy. MCCS was disbanded in early 1981, coincident with the overthrow and disbandment of the GO, when it was learned that Sullivan was attempting to place some of the indicted GO criminals in high corporate positions and also in control over the trade and service marks of Dianetics and Scientology.

The IRS gained illegal possession of these tapes through a secret summons served on clerk the Superior Court (Frank Zolin) without notice to the Church. A Federal Court later ruled the IRS must return the tapes back to their sealed position in the Superior Court. In defiance of the court order, the IRS made a copy of the tapes, transcribed them, and sent the transcripts to IRS agents around the country. Several CID and EO agents working on Church cases fully reviewed the transcripts, while the Church itself never had access to them.

The IRS has used the existence of the stolen tapes against the Church both in court and in the exemption proceedings. Knowing full well that the Church did not have access to them or knowledge of their contents, the IRS has demanded the Church provide copies of them in virtually every 1023 proceeding.

This ploy was taken to its most outrageous extreme in the CST declaratory judgement case before the Court of Claims in Washington DC. The Department of Justice attorney representing the IRS in this litigation vehemently asserted the bald face lie that CST failed to establish its entitlement to exemption by not providing copies of the MCCS tapes during its exemption proceedings. He used that as the stepping stone for the rest of his argument in which he speculated that nefarious purposes for the establishment of CST were evident in the MCCS tapes, and that these inferences had to be accepted since CST failed to produce them. Not only were the tapes unavailable to the Church, contrary to DOJ assertions, but the IRS had possession of them and knew they didn't contain the inferences put forth to the court. The big lie was pressed so insistently and forcefully that the judge bought and premised his entire ruling on it.

These tapes are still the subject of ongoing litigation. The most recent decision was rendered by the United States Supreme Court on November 16, 1992 in (U.S. v. Zolin which acknowledged that the IRS had access to the tapes in 1984 and had access in 1991 up through present time. In fact, the IRS argued unsuccessfully that because they had the tapes, the Church's appeal of the ruling granting the IRS access was moot.

Christofferson v. Church of Scientology:

The Christofferson case, described at pages 10-15 and 10-16 of our prior response, went to trial twice, had two jury verdicts and both verdicts were overturned. The case ultimately was settled as a nuisance.

Julie Christofferson made her claims against the Church only after being kidnapped and deprogrammed by convicted felon and CAN founder Ted Patrick, and after being induced to file suit by unethical attorneys as part of Michael Flynn's FAMCO scam, as described in the response to Question 10.d of our prior response. Christofferson's attorneys were FAMCO members.

Christofferson claimed that she had been defrauded, brainwashed and subjected to emotional distress. The first trial of the case, conducted in 1979, was a free-for-all, in terms of Scientology bashing. The judge at that trial allowed Christofferson's counsel to parade a string of former members and store-bought psychiatrists through the court room and essentially put the Scientology religion on trial, as seen through their hate-filled eyes. This resulted in a verdict against the Church of Scientology of Portland and other Church entities in the Portland area, of \$2 million.

The Oregon Court of Appeals resoundingly reversed the verdict on the ground that it was a runaway, heresy trial prohibited by the First Amendment. The case was remanded for a new trial.

Given the admonitions of the Court of Appeals in remanding the case, the second trial should have been better controlled. It was not. If anything the second trial, conducted in 1985, was worse, as by that time Michael Flynn had put together a regular traveling circus of apostates that he exported to his allied FAMCO attorneys who were trying the case. All the witnesses had three things in common. One, they had never met Julie Christofferson. Two, they were all represented by Flynn and had a stake in the outcome of the litigation. Three, they were CID informants. This was the same turn-key arrangement used in the Armstrong case.

None of the witnesses had a single thing to say about Christofferson. They were simply summonsed to rant about the

"evil" Church for days on end. Gerald Armstrong, an IRS informant whose love poem to a pig was written at plaintiff attorney Gary McMurry's farm-home between days of testimony, spent several days denigrating the Church and its beliefs.

On cross examination Armstrong was questioned about the facts disclosed in the video tapes outlined earlier in the Armstrong section of this answer. True to his premeditated pledge to deny any of it, even under oath, he proceeded to do just that. Thus, he denied that he had ever been involved in any planning to take over the Church or to seed its files with phoney documents in preparation for a CID raid, and other similar facts that the tapes clearly documented. He was asked if he ever met with anyone to discuss anything like this. Armstrong vehemently denied it. His blatant perjury then was exposed when the Los Angeles police department sanctioned video tapes were put into evidence.

Within two hours of this testimony, CID agents and District Counsel attorneys were in Portland in the Judge's chambers, and in a clear attempt at intimidation, demanded access to and sealing of the tapes. Simultaneously, CID agents Lipkin and Ristuccia visited the Chief of the Los Angeles police department to arrange cover for their operation. This case should have exploded in the plaintiff's face with a summary perjury conviction of her star witness. Instead, as a result of IRS CID interference it was allowed to run its full course as a modern-day heresy trial against the Scientology religion.

Not only was Armstrong not charged with perjury, but other CID informants such as Laurel Sullivan, Bill Franks, Eddie Walters and Howard Schomer, were also allowed to disparage the Scientology religion to their heart's content; and CAN psychologist Margaret Singer, whose theories on "cults" and "brainwashing" have subsequently been completely discredited in several courts, was allowed to expound upon those theories making Scientology out to be something entirely evil and diabolical. This went on to the point where once again Scientology was on trial and the jury was overwhelmed by the poisoned atmosphere and the inflammatory accusations.

The resulting \$39 million verdict was so outrageous that a public outcry went up, not just from Scientologists but from the religious community at large. The judge himself was shocked, and in admitting that the case had gotten out of hand in violation of the court of appeals ruling in the first case, declared a mistrial and nullified the verdict completely.

The Church thus does not agree with the verdict reached by the jury but does agree with the mistrial declaration that nullified that verdict exactly 60 days after it was entered. Lawrence Wollersheim v. Church of Scientology of California.

The Wollersheim case, discussed on page 10-16 of the prior submission is still under consideration by the California Supreme Court. The original \$30,000,000 verdict was reached after months of testimony by Michael Flynn's regular stable of witnesses, including Laurel Sullivan, Eddie Walters, and psychiatrist Margaret Singer, none of whom had even met Larry until the eve of trial. The trial was no different than Christofferson - same witnesses, same documents - except that it lasted for an additional two months. The entire trial was five months of unrestrained ridicule and attack of the Scientology religion.

On appeal the verdict was reduced by the California Court of Appeal to \$2.5 million. The Court of Appeal characterized the amount of the verdict as "preposterous." Although clearly shocked by the outrageous verdict, the court of appeal went out of its way to recite a factual record absolutely unsupported by the record below to justify Wollersheim receiving the \$2.5 million they arbitrarily decided he was entitled to.

Both Wollersheim and the Church filed petitions with the United States Supreme Court. Wollersheim's petition was denied, but the United States Supreme Court granted the Church's petition, vacated the judgment and remanded the case to the state appellate court for further proceedings. On remand, the Court of Appeal issued a new decision giving Wollersheim a choice of accepting a \$2.5 million award or having the case remanded for a new trial. When Wollersheim refused to accept the award, the Court of Appeals changed their decision and, instead of sending the case for a new trial as required, amended the decision to affirm their original award of \$2.5 million.

That decision was superceded as a matter of law by the California Supreme Court's grant this summer of CSC's Petition for Review. The matter is pending before the California Supreme Court. The final adjudication of this case is yet to be made.

However, the only thing the Church of Scientology was ever guilty of with respect to Larry Wollersheim was trying to help him, which is why he kept coming back for over a decade, even after being expelled for unethical conduct. The Church obviously disagrees with the jury's treatment of the Wollersheim case as well as the dishonest manner in which the California Court of Appeals dealt with the case on both occasions on which that court acted. The Church agrees with the US Supreme Court's decision vacating the judgment, and the California Supreme Court's decision to review the case.

Wollersheim, an attendee at numerous CAN functions, has recently communicated directly with Church counsel. This is

significant because the communication from Wollersheim confirms what the Church has asserted about Wollersheim the entire time -- he is deranged and delusional. As can be seen from the attached correspondence (Exhibit III-10-T), Wollersheim's current position is that the Church of Scientology is some sort of massive United States government intelligence experiment run amok. Wollersheim's theory even has the Internal Revenue Service, along with the FBI, Justice Department and the Judiciary, having their actions with respect to Scientology dictated by the CIA:

"If you were sitting as director in one of the super-secret intelligence agencies or think tanks would you hesitate for a moment to run interference on the outer agencies, the FBI, the Justice Dept., the IRS or the Judiciary if this would insure that national security interests in this valuable thought reform field experiment would not be terminated. Wouldn't you also periodically let the lower agencies publicly rough up Scientology to help maintain the great religion cover and release some of the pent up victim and social back-pressure."

Wollersheim's letter is plainly the ramblings of a decayed mind, but it illustrates the sort of persons against whom the Church has been forced to defend itself and further illustrates that any reliance by the Service on the claims of anti-Church plaintiffs like Wollersheim and other CAN members is seriously misguided.

CONCLUSION

As you no doubt expected, we don't agree with the negative decisions concerning some Scientology corporations in the 1980s. More importantly, through the passage of time we are being vindicated.

The Service has criticized the Church for being over-litigious in fighting dissidents. In virtually every instance, however, it has been the Church that in the first instance was required to defend itself in litigation commenced by these dissidents; litigation packaged, marketed and sold by cynical merchants of religious intolerance like Michael Flynn, CAN and a significant element of the IRS.

As detailed in this and our previous submission, we have to litigate seriously because we have been subjected to great persecution. Perhaps those in the Service who complain about our "litigious nature" do so because we didn't just fold under the onslaught of IRS sponsored attacks and this upset the best laid plans of the IRS Scientology-haters. The Service exhibits remarkable temerity to ask us to "explain" such cases when it was so integral in creating them.

The Service also has directed the support these dissidents receive. An LA district counsel attorney encouraged Vicki Aznaran to "take a stand" against Scientology, and her lawyer discussed her civil case strategy at length with LA District Counsel and EO agents. Once Aznaran was on board her ten year old personal income tax dispute with the IRS magically disappeared. Laurel Sullivan was represented by the U.S. Attorney's office (on the justification she was an IRS informant) in a civil case brought by the Church against her for violating the attorney-client privilege. Mayo's perverted version of Scientology principles received tax exemption as soon as he became an IRS informant. Even Flynn's "Scientology Victims Defense Fund" which raised "donations" to fund his contingent fee litigation against the Church received tax exemption.

Cult Awareness Network received exemption as soon as they stated in writing that they would actively refer innocent inquiries about Scientology to lawyers. No cases remain in existence that were not started or maintained by Cult Awareness Network, which continues to operate under the IRS' imprimatur. If the IRS were to withdraw its support, CAN and its instigated cases would disappear.

Our consistent view has been that the civil litigants are solely motivated by greed. The exception is Armstrong who we truly believe to be psychotic. During the 1980's, the IRS used every single civil litigant against Scientology as an IRS witness. The government, however, has no business in taking sides in a religious or civil dispute. It is indeed ironic to note that once the Flynn civil litigation in the 80's was settled, with the exception of Armstrong, we hear no more of their "horror stories" from these paragons of virtue claiming to be interested only in "principle" and "what is right."

But there is a more important point to be made. You are still holding us to a higher standard in these proceedings, which is not a fair and impartial administration of tax law. These decisions --Armstrong, Christofferson and Wollersheim-- concerned CSC. Even putting aside whether we were right or not in the court room, how could these decisions have anything at all to do with these current proceedings? CST, RTC and CSI did not even exist when these individuals left the Church and the decisions in the aforementioned cases are not against these corporations.

We have more than answered your questions on the subject of litigation and we want you to understand how unfair we think this is. After all, as we have shown, significant elements within the IRS have actively participated in the litigation with a vested interest in the outcome. So you are asking us to defend ourselves against unfair attacks that your own agency has had a hidden and illegal part in creating. To understand why we have had to engage in so much FOIA litigation, you need only look at the bizarre

occurrences in our general litigation. So why continue this war of attrition? Who keeps pushing to ask us questions about our civil litigation? It isn't relevant to these proceedings and this should be the end of it.

Everybody today knows Pontius Pilate was a toady who rendered a dishonest decision to curry favor from the Roman establishment. Judge Breckenridge is of the same ilk. The true story of his decision is in LA CID files - provided they haven't been destroyed to avoid our FOIA litigation.

It is time to end this shameful IRS involvement in trying to destroy Scientology. Why must the Service follow in the footsteps of the Nazis, who spread black propaganda about the Jews so that the German people would be inured to the massacre of millions. This is the same tactic used by significant and powerful elements within the Service in their dissemination of false information and active participation in attempting to destroy us.

We have no doubt that the IRS officials involved in unreasoned hatred and war against us are morally certain of their correctness that this isn't the same as the early Roman attacks on Christianity, that it isn't the same as the Nazis' genocide against the Jews. No doubt, the Romans and Nazis also showed the same moral certainty. Many such dogmas have borne the imprimatur of government--the indestructibility of the Roman Empire, the supremacy of the Aryan race, the inevitable triumph of communism over capitalism, the legal segregation of the races. History, however, always has proven otherwise: Rome fell, the Nazis were defeated, communism collapsed and apartheid was unmasked for the evil it is. History is on our side today.

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IN DEFENSE OF FREEDOM

Throughout history, men and women of religion have stood against tyranny and fought for the natural right of all individuals to practice their own faiths and beliefs, free from harassment, suppression and persecution.

This website is supported by men and women of this kind; parents, teachers, business leaders, health practitioners, artists, working people from every walk of life. As parishioners of Scientology and other religions, we expose the intolerance, racial discrimination, bigotry, threats and violence perpetrated by those individuals in society who would use any means to destroy religious freedom.

For it has been shown that when mankind takes freedom for granted, or turns a blind eye to even the slightest infringement upon the rights of his fellows, the religious beliefs of any man may then be called into question, and his rights perish.

Evil wears many guises and, while freedom of speech remains intrinsic to our very ability to express our beliefs, it is also a tool used by those who would rob us of our voices.

Let the distinction be clear: Any right used by one man to harm another is no right at all, but instead a tool of oppression wielded by those who, left unopposed, would destroy all rights and freedoms until only those remain that favor the tyrant.

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Anti-Religious Extremists

In late 1994 and early 1995 a few copyright anarchists unlawfully acquired copies of unpublished Church of Scientology scriptures and posted them on the Internet. When they were sued successfully by the copyright holders, these same people embarked on an anti-religious hate campaign utilizing Internet newsgroups, websites and the press.

One result of this campaign has been an increase in acts of harassment and violence perpetrated against Scientologists. Scientology churches have been vandalized and individual Scientologists have been harassed, physically attacked and threatened with death. When oppressive government agencies in France and Germany sought support for their discriminatory policies against minority religions, the same group of people who began this chain of violence traveled to Europe to spread their lies.

Other faiths also have been the targets of anti-religious violence. Extremists in the United States have fire-bombed Baptist churches and have defaced Jewish synagogues.

In Europe, right-wing nationalists have openly attacked members of other faiths and have staged violent hate rallies. And in the East, being a member of a "disfavored" religion has proven to be fatal. The issue affects everyone.

Thus, people of all faiths must unite in common support of not merely members of their own religion, but of all religionists. We must be vigilant in protecting the cherished right to freedom of worship and in exposing the extremists who spread hatred and violence.

Freedom of speech is a fundamental liberty; it is one of the hallmarks of a free society. It is not, however, a license to incite acts of violence through lies. And when it is abused by people whose only intentions are to harm and destroy it is incumbent upon honest citizens to speak out.

This section of the web site exposes the truth about these instigators so that no one else will succumb to their lies.

<u>ARMSTRONG, GERALD</u>	<u>GRAHAM, BARBARA</u>	<u>O'MALLEY, KADY</u>
<u>BERRY, GRAHAM E.</u>	<u>GREENWAY, PATRICIA</u>	<u>PANOUSSIS, ZENON</u>
<u>BIRD, DAVID</u>	<u>HASSAN, STEVE</u>	<u>PATRICK, TED</u>
<u>CABERTA, URSULA</u>	<u>HAUSHERR, TILMAN</u>	<u>PATTINSON, MICHAEL</u>
<u>CAMBURN, IDA</u>	<u>HELDAL-LUND, ANDREAS</u>	<u>PETTYCREW, BRUCE & KATHLEEN</u>
<u>CHRISTMAN, TORY</u>	<u>HENSON, KEITH</u>	<u>PRINCE, JESSE</u>
<u>CISAR, JOSEPH</u>	<u>HOLMES, DEANA</u>	<u>RASHLEIGH-BERRY, ROLAND</u>
<u>CLARK, ROBERT W.</u>	<u>JACOBSEN, JEFF</u>	<u>RICE, DAVID</u>
<u>COX, ELIZABETH ANN</u>	<u>KATES, CHARLOTTE</u>	<u>RICE, FREDRIC</u>
<u>DALLARA, MARK</u>	<u>KENT, STEPHEN</u>	<u>ROSS, RICK</u>
<u>DVORKIN, ALEXANDER</u>	<u>KROTZ, MIKE</u>	<u>SPAINK, KARIN</u>
<u>EMANUEL, VALERIE</u>	<u>LERMA, ARNALDO</u>	<u>TOURETZKY, DAVID S.</u>
<u>FISHMAN, STEVEN</u>	<u>LICHTENWALNER, PAMELA</u>	<u>WACHTER, KRISTI</u>
<u>FORD COOK, VICKKI</u>	<u>LYNN, JOE</u>	<u>WALTER, ALAN</u>
<u>GEORGI, PHIL</u>	<u>MAYETT, TED</u>	<u>WEVERS, JOHAN</u>
<u>GOEHRING, SCOTT</u>	<u>OLIVER, FRANK</u>	<u>WHITFIELD, HANA & JERRY</u>
<u>GONNET, ROGER</u>		<u>WOLLERSHEIM, LARRY</u>

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Defending Religious Rights

GERALD ARMSTRONG



Gerald Armstrong is a former clerk in a Scientology church.

In former days, Armstrong hatched a plot to seize the Church's assets in collaboration with the Los Angeles IRS Criminal Investigation Division.

When the Church discovered this, its attorneys obtained permission from a Los Angeles police officer to conduct an investigation into Armstrong's plans. The investigation caught Armstrong on videotape stating that he intended to forge and then plant incriminating documents on Church premises, to be discovered in a subsequent raid. When challenged on how he would obtain proof of the allegations he intended to make, he responded that: "We don't have to prove a goddam thing. We don't have to prove shit. We just have to allege it."

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GERALD ARMSTRONG (cont.)

As part of the same scheme, Armstrong planned to subvert a senior Scientology executive using sexual enticement in a scheme he titled "Operation Long Prong." This is documented both in his own handwriting and on video.

Since leaving California, Armstrong, a native Canadian, has lived in British Columbia, Canada, and appears to have no gainful employment. Yet he has somehow managed to travel all over the world in pursuit of his hate agenda.

In 2000, Armstrong traveled to Europe to attend an anti-religious conference in Leipzig, Germany.

In 2001, Armstrong traveled extensively in Europe, joining in a hate march in France with extremist Roger Gonnet and visiting anti-religious groups in Russia and Denmark. At a meeting of hate groups in Russia, Armstrong met with deprogramming proponent Alexander Dvorkin.

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GERALD ARMSTRONG (cont.)

In addition to his unlawful activities, Armstrong's mental stability is questionable. Armstrong once posted a message on the Internet concerning a letter he sent to Saddam Hussein during the Gulf War. In the letter, he offered himself to Hussein as a hostage in the Iraqi war. "If either side failed to perform any part of the agreement, the other side could execute me," he concluded. Armstrong makes clear in his posting that he did not think the letter to Hussein was a joke, but was deadly serious. He quite proudly republishes it and other similar writings from time to time. To further demonstrate how out of touch he is with reality, Armstrong had himself photographed by a newspaper naked while holding a globe to promote his theories of destroying all money.

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GERALD ARMSTRONG (cont.)

The following is what Gerry Armstrong's "friends" think of him:

Rob Clark: "Gerry Armstrong flat-out walked off [the Church of Scientology] with a bunch of stuff when he left. ... what Armstrong did would otherwise have been theft. ... I'm disgusted with warrior [Mark Plummer]. I was not particularly pleased when he signed off on that c---sucker Armstrong smearing me with his dumbass ...page. ... Armstrong is totally kooking out"

Rob Clark: "... you want to see the new nuttiest Gerry Armstrong hate page ever? The animated kicking is supposed to signify Armstrong jerking as the electroshock hits. Any time anyone else suggests that maybe this is kooky, they get a new wing added to the Armstrong hate gallery just for them. I didn't realize Armstrong was more than mildly kooky until recently.

Paul Rubin: "I used to hang out with Armstrong a fair amount. He had a zealot and maybe paranoid streak but wasn't whacko like this."

Rob Clark: "Where anyone who disagrees with Armstrong's continuing lunatic rampage gets added. If they really disagree with his lunacy, they get their own whole section as an "op" with wacky animated gifs."

Rob Clark: "Gerry Armstrong accused her [Katherine Harris] of being Aldrich Ames."

Stephen Sheehan: "He said this, in seriousness."

[Name Deleted]: "He [Gerry Armstrong] is a complete idiot."

Rob Clark: "He's a vicious psycho is what he is."

[Name Deleted]: "He doesn't actually believe that, does he?"

Rob Clark: "If he does believe it, he's insane and if he doesn't, he is deliberately libeling someone just because they disagree with his

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loony bullshit."

Stephen Sheehan: "Stupid Gerry Armstrong."

Scott Pilutik: "Martin Ottmann got his own wing in the Gerry kook-o-fame."

Deana Holmes: "God Gerry's a nutball."

Scott Pilutik: "It's ok, it's for legal reasons the expected insanity defense."

Elizabeth Fisher: "Gerry nuts = prominent critic, ergo, all critics are nuts. This is kinda serious, albeit a tad farfetched."

Ed Hammerstrom: "Hiya ef [Elizabeth Fisher]"

Elizabeth Fisher: "Are you too a fan of Gerry's osa pages?"

Ed Hammerstrom: "Not really."

Elizabeth Fisher: "It gets worse and worse he now added Martin Ottmann."

Scott Pilutik: "Martin gets his own dedicated page. It's not quite as telling as Arnie's subdirectories. He makes a new one each time it seems, each less descriptive and more useless as the last. He [Gerry Armstrong] never used to be this kooky. He always had a sort of Jesus complex but it never quite germinated into the messiahdom it is now."

Elizabeth Fisher: "No. he always had the messiahdom but now, it seems, it is being encouraged. I mean, someone makes those pages for him I presume, Caroline [Letskeman]."

Scott Pilutik: "No idea how the dynamics of that relationship work, but I think it's safe to say she's [Caroline Letskeman] encouraging some seriously kooky behavior or pushing for it."

Elizabeth Fisher: "Yes, that is what I see too. ... She [Letskeman] really is so foolish as to believe all his [Armstrong] delusions?"

Kady O'Malley: "She's [Letskeman] obsessed with occult links."

Elizabeth Fisher: "... she [Letskeman] appeared in Chilliwack, where he [Armstrong] was residing."

022

Kady O'Malley: "The one interesting tidbit I note about Caroline is that until late 2001 possibly 2002 she had a listed online webpage. After she had become a visible critic under her own name."

Elizabeth Fisher: "His [Armstrong] insanity is getting worse and she [Letskeman] must be encouraging it."

Kady O'Malley: "...but the thing is, you read Gerry from 1997, 1998 it's like a different person."

Ed Hammerstrom: "He [Armstrong] definitely is going crazy, seems to me. I think he has had alcohol problems in the past."

Kady O'Malley: "Ed, if you were his girlfriend, wouldn't you be doing something other that (sic) encourage him in this? I mean, I find it bizarre that she'd not only not be trying to wind him down but actively instigating."

Elizabeth Disher: "He's [Armstrong] always been totally paranoid."

Ed Hammerstrom: "I have to conclude they are both in a crazy self-destructive path."

Rob Clark: "Loonboy [Armstrong] has declared Martin Ottmann an osa op??

What a f---ing NUTCASE that is just unf---ingbelievable. ... I think she [Lekteman] is just yet another wigout who was only marginally sane because of the relative discipline of the cult and now, released of this, is totally batshit along with her totally batshit Gerry. Sorry, anyone who thinks Martin Ottmann is an osa op has fried their f---ing brain and needs to be under observation in a locked ward."

Kady O'Malley: "We're all agreed on Gerry being insane. Don't tell warrior [Mark Plummer]."

Elizabeth Fisher: "Gerry really really wanted someone to web stuff for him but at the time, it was his hokey no money "philosophy" pages."

Kady O'Malley: "... they're [Armstrong and Letskeman] both just going mutually crazy, symbiotic psychosis."

Rob Clark: "... marginally nutty critics would sure explain a couple things, like Arnie. Heather drove Bunker insane, their relationship was completely platonic."

023

Elizabeth Fisher: "He [Armstrong] is getting worse."

Rob Clark: "I don't think he [Armstrong] went crazy that fast I think it is just only recently that he has been called on his bullshit by a lot of people."

Kady O'Malley: "Well, the first time I noticed it was in 2001ish that's relatively quick he probably would have kooked out insanely in 1998 if he had been called on the carpet on some thing. You might be right."

Rob Clark: "He [Armstrong] was crazy a couple years ago re CL. ... In fact, the MOMENT CL started questioning his versions of event, he just went nuts. ... When you're accusing Martin Ottmann of being OSA you're completely in cloud cuckoo land. Martin Ottmann could very easily sue him for libel and win in Germany these are very nearly summary proceedings. Martin could file a libel action claiming these accusations are libelous and false and Gerry would either have to prove them or get fined. You know when he [Gerry Armstrong] went crazy with me? When I posted the transcript section detailing his money laundering. Seems he viciously attacks anyone who has anything that might tend to discredit his bullshit image as some saint instead of the shiftless, sponging kook he actually is."

Ed Hammerstrom: "Gerry has a heavy alcohol problem. ... He was building an artwork of his empty booze bottles in a field in BC."

Rob Clark: "Although this freakish paranoia is like speed or coke paranoia that or he smokes way too much dope. ... It's also possible Gerry has never had a huge website before in which his lunacy could sprawl out without limit and that Caroline is merely an amanuensis to Gerry's insanity."

[Name Deleted]: "Is Gandow supporting him [Armstrong]?"

Kady O'Malley: "Morally or financially?"

[Name Deleted]: "Financially."

Kady O'Malley: "Gandow has been mighty silent of late."

[Name Deleted]: "Well if Gandow is getting money ... or anybody, it may be an issue because he gets government money I believe he or his church."

Elizabeth Fisher: "Gandow may just be realizing that Gerry is nuts, is all he's a bit naive, Gandow."

024

[Name Deleted]: "Gandow is pretty vile himself."

Robert Clark: "He's despicable, god, talk about an insane asylum: Truth Seeker, Magoo, Warrior, Zinj, Fredric Rice."

Ed Hammerstrom: "...is off and quiet."

Rob Clark: "yah, if you don't, you end up like Gerry is lately. He has now just declared Martin Ottmann an OSA op for no sane reason. He's totally gone off the deep end."

Stephen Sheehan: "He's [Armstrong] saying everyone and their grandparents are OSA."

Rob Clark: "I ended up having warrior [Mark Plummer] repost old ... shit on me because I pointed out that Gerry got fooled by a blatantly forged email. Anyway, this is the sort of stuff that can't appear sane to a casual onlooker which is why, IMO, ars [hate newsgroup] is bad for mental health. I am more and more seeing it [ars] as a data dump than as a place where there are actual human beings who can be communicated with in a sane manner."

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